BAHR DECLARATION

DECLARATION OF KYLE BAHR

I, Kyle Bahr, hereby declare, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. My name is Kyle Bahr. I am 38 years of age. I have personal knowledge of the matters set forth in this Declaration, I am of sound mind, and if called upon to testify, I would testify as stated herein.

2. I currently live in the continental United States and work as a software developer.

3. I learned about Hex in 2019 through a podcast. In and around that time, I was interested in learning about developing applications on the blockchain and wanted to devote my hobby time to learning and developing applications on the blockchain. Based on how the podcast episode described Hex, it seemed like a good starter project.

Development of Hex Code

4. I was in a public group Telegram chat with Hex founder, Richard Heart aka Richard Schueler ("RH"). In the Telegram chat there was a link to the Hex code. I read through the code, and as I learned more about how the code worked, I would answer questions that people online asked about how the Hex code worked. RH began to refer online users interested in Hex to me. At times, RH would ask me directly to clarify or check his answers to online users regarding how the Hex code worked.

5. One Hex token is comprised of 100 million Hearts, similar to how a dollar is comprised of 100 cents. A Heart is the base unit of Hex and Hex was the whole token unit. It was my understanding that the name for the base unit, Heart, was tied to RH's chosen last name.

6. Hex.com and Hex.win are domain names that RH has represented to me that he owns or controls. RH made a big deal about buying the domain name Hex.com. With regard to Hex.com and Hex.win website content, RH asked me and other developers to provide spelling and grammar checks on his draft content for the websites.

7. TBCDev (Telegram user handle) wrote the Hex contract code that is deployed on the Ethereum network today, and the web application hosted at https://go.hex.com. This is an application that interacts with the Hex contract code on the Ethereum network. TBCDev is the

only developer I recall who RH employed at the time for Hex. RH hired TBCDev before I became involved in Hex. TBCDev maintained his own private repository of code from which he would either send snapshots to RH or migrate it to the public repository.

8. I wrote a lot of experimental and prototype code for Hex that TBCDev rewrote before it was deployed to production.

9. RH was responsible for setting the goals and priorities for various Hex development projects. RH would invite developers such as myself into private Telegram chat groups. In those chats, the existing developers would be responsible for getting new developers up to speed on progress made on Hex.

10. Code, such as the Hex code, is deployed on the Ethereum network via a transaction that indicates you would like to put code permanently on the blockchain. RH and TBCDev coordinated closely on the details regarding how the Hex code worked. RH directed and approved all of the features of the Hex code and how he wanted it to work. To my understanding and recollection, TBCDev was the author of the Hex code that was ultimately deployed for Hex, and TBCDev worked at RH's direction. RH approved all of the content of the Hex code.

11. Prior to the launch phase, RH paid for two separate security audits of Hex by ChainSecurity and CoinFabrik. These firms reviewed the Hex contract code to identify vulnerabilities or identify gaps that the developers might not have considered. They also evaluated how the code might interact with the Ethereum network. They produced a report called a security audit that discussed all of those facets, how they scrutinized the code, and any findings.

12. Hex launched at 00:00:00 UTC on December 3, 2019. The launch phase, also known as the "claim phase," lasted 351 days, ending on November 19, 2020 at 00:00:00 UTC.

The Hex Code and Associated Hex Addresses

13. The Hex contract address is the address on the Ethereum network that is associated with the Hex code. During the launch phase, the Hex contract supported a crowdsale. A crowdsale is an online event where participants can purchase tokens during a set period of time under certain conditions. For Hex, the crowdsale was done through contract functions that accepted ETH from users. This function allowed users to purchase Hex tokens. The Hex contract address is: 0x2b591e99afe9f32eaa6214f7b7629768c40eeb39.

14. The Hex contract has a public function that allows anyone to "flush," or transfer any ETH held in the contract address to a designated address written in the code, which is referred to as the flush address. Any user on the Ethereum network can activate the flush function. RH provided the flush address to be used in the Hex code. The flush function is the only way to move ETH out of the Hex contract. The flush address is: 0xDEC9f2793e3c17cd26eeFb21C4762fA5128E0399.

15. The Hex origin address is an address into which the Hex code mints Hex tokens for a variety of activities recognized under the code, including when it minted tokens to match all launch phase bonuses. For example, if an individual sent ETH to the contract address and received 10,000 Hex tokens in return and that person used a self-referral code amounting to a 32% bonus, that person would receive 13,200 Hex and the Hex origin address would also receive 3,200 Hex. These bonus copy rules, i.e., where copies of Hex bonuses were also paid to the origin address, applied to all calculations that modified the number of Hex that would be minted to an individual using either the Bitcoin claim function or the crowdsale function. Additionally, the origin address receives a portion of the penalties generated from early or late ending or withdrawing of stakes of Hex tokens. This address is a valid address on the Ethereum network that can send and receive any type of digital asset compatible with the Ethereum network. The Hex origin address is: 0x9A6a414D6F3497c05E3b1De90520765fA1E07c03.

16. During my discussions with RH, he claimed he did not know the identity of the owner or controller of the origin address. RH referred to the origin address as a very large holder of Hex. RH said that the origin address holder would be incentivized to defend the price of Hex. I remember him saying that he would not reduce the payout calculations of Hex flowing to the origin address under the Hex code. Based on the alignment of financial incentives and RH's various commentary on the ownership and control of the origin address, I believe that RH controls the origin address but he never expressly stated that.

17. Prior to the launch phase, I was involved in discussions with RH and other developers about how much of the total supply of Hex could be controlled by the origin address by the end of the launch phase. I wrote a program that could simulate a variety of behaviors over the course of the launch phase, and one of its outputs was the percentage of Hex supply controlled by the origin address. During these simulations RH commented on how he felt about certain percentages, noting that they were either too high or too low. Although I do not recall a specific

conversation, I generally recall that RH was comfortable with the origin address controlling approximately 30-40% of the total supply of Hex tokens. Although I do not specifically recall any changes made to the Hex code as a result of these simulations, to the extent any changes in the Hex code were made as a result of these simulations, I believe that those changes would have been made by TBC Dev at the direction of RH.

18. When Hex originally launched on December 3, 2019, the Hex code allowed individuals who wanted to purchase Hex to send ETH to the Hex contract address. The next day, that same person could then tell the Hex contract that they wanted Hex minted to them based on the prior day's ETH contribution. There was a maximum amount of Hex that could be minted each day during the launch phase. The maximum amount per day was based on a variety of factors irreducible to simple calculation. The amount of Hex someone received in exchange for their ETH during the launch phase varied based on the total amount of ETH sent and the number of individuals who claimed Hex through the Bitcoin claim mechanism each day.

19. The reason for the one-day delay in the delivery of Hex tokens during the launch phase was to ensure that the ratio of collected ETH to available Hex tokens was known. For example, if there was a total of 100 ETH sent to the Hex contract address on a given day and one wallet was responsible for depositing 10 of those ETH, that wallet would receive 1/10 of the fixed number of Hex tokens available to be minted that day. The calculation was dynamic from day to day.

20. After the launch phase, the amount of Hex able to be minted each day is limited by the amount of staked Hex and amount of time that has passed since launch. There is a limit on the amount of Hex that can be minted, in total. After the crowdsale function of the Hex contract ended, Hex could no longer be purchased by sending ETH to the Hex contract address. However, people could still send ETH to the contract address, but they would not receive anything in return. The Hex code does not contain an automatic refund mechanism. After the launch phase, Hex can only be purchased on the open market or minted through staking, a process whereby Hex token holders can lock up their Hex for a designated amount of time in exchange for additional Hex tokens at the end of the stake.

21. I understand that recycling is a process whereby the same crypto assets are repeatedly sent back through the same wallet address. Based on documents shown to me by the SEC, for Hex, I understand that there were many repeated transactions in which ETH was

deposited into the Hex contract address, flushed to the flush address, and then sent back to the Hex contract address. Based on documents shown to me by the SEC, it appears that the effect of this activity is that the address(es) perpetuating the recycling had Hex minted to them through these repeated transactions with the Hex contract address. I remember having conversations with RH about the concept of recycling, where he voiced his annoyance that online communities were speculating about recycling activities related to Hex.

The Hex Contract Bitcoin Claim Function

22. When Hex launched on December 3, 2019, a function on the Hex contract, as written within the Hex code, would determine whether certain Bitcoin addresses could verify the particular balance claimed, as compared to the balance on December 2, 2019. Once a Bitcoin balance was verified, the Hex code ran through a set of rules to come up with a scaling multiplier on that Bitcoin balance. The Hex code would then mint and deposit 10% of that number of Hex tokens to the Ethereum wallet addresses that provided the Bitcoin proof while the other 90% would be staked for a set period of time on behalf of the claimant ("Bitcoin Claim Function"). The scaling multiplier was 10,000x Bitcoin. There were different rules, however, that could change the 10,000x multiplier, including, but not limited to, whether an individual used a referral code and when during the launch phase an individual chose to free-claim Hex tokens through the Bitcoin Claim Function. The Bitcoin Claim Function claim period did not begin until Day 2 of the Hex launch phase.

23. RH directed that the Hex code contain this function and dictated the criteria for the Bitcoin Claim Function. There were a number of large Bitcoin wallet holders that RH told me he did not agree with or did not like, and RH directed that those wallet holders be excluded from the Bitcoin Claim Function despite those wallets being able to technically satisfy other criteria in the code. These wallets included well-known public addresses. For example, RH directed that the Mt. Gox trustee Bitcoin addresses be excluded from the Bitcoin Claim Function, which I believe is the basis for the namesake of the claim limitation "Gox Me Not."

Airdrops

24. RH orchestrated or underwrote airdrops of Hex tokens during the Hex launch phase on the Ethereum network (the "Ethereum Airdrops"). RH said that the purpose of airdropping Hex

tokens to a large number of wallet holders was to increase market awareness of the Hex token. RH dictated the criteria for the Ethereum Airdrops.

25. The Ethereum Airdrops entailed sending tokens to wallet addresses based on specified criteria. The Ethereum Airdrops functioned similarly to mass mailers, but on the blockchain. I had conversations with RH about how to compile a list of wallet addresses into which to airdrop Hex tokens via the Ethereum Airdrops. RH set the criteria, and I used a query tool to ask the Ethereum network to identify addresses that met that criteria. RH then directed the Hex tokens to each wallet, just as if someone sent you an unsolicited piece of mail.

26. For the Ethereum Airdrops, RH identified high-visibility addresses on the Ethereum network, or popular contract addresses. RH wanted to target high-visibility addresses, high-value addresses (people who held a lot of ETH), or smart contracts that digital asset holders interacted with frequently. RH's idea, as conveyed to me, was that he wanted people to notice that those contracts held Hex tokens. RH directed airdrops of only a small number of Hex tokens into each wallet identified pursuant to his selection criteria.

27. After I identified the wallet addresses based on RH's selection criteria, I provided them to RH. RH asked me to provide the wallet addresses that I planned to use to send, or airdrop, the Hex tokens to the identified wallets ("sender addresses"). I specifically created the sender addresses at the direction of RH. After providing RH with the sender addresses for the Ethereum Airdrops, Hex tokens and ETH appeared in the sender addresses. RH notified me that the Hex tokens and ETH had been deposited in the sender addresses. I am not aware of any other individuals, aside from RH and me, who had access to the sender addresses. I then executed the Ethereum Airdrops' transactions of Hex token deposits through a program that I created at RH's direction.

28. The Ethereum Airdrops' transactions occurred between at least January 31, 2020 and December 14, 2020. Some transactions made pursuant to the Ethereum Airdrops deposited a set amount of Hex tokens to particular wallet addresses where other transactions deposited a variable amount, per calculations determined by RH. Below is a chart of the Ethereum Airdrops. Some airdrops were to payout promotional contests orchestrated or underwritten by RH and pursuant to his direction.

Date or Date Range	Amount Per Address or Aggregate Amount	Type
January 31, 2020	Variable	Unknown
February 4, 2020	1,000 HEX per address	Airdrop
March 28, 2020	1,000 HEX per address	Airdrop
March 30–April 25, 2020	100 HEX per address	Airdrop
April 26–27, 2020	7763 HEX per address	Unknown
July 27, 2020	101 HEX per address	Airdrop
September 5–22, 2020	Approximately 5M HEX in aggregate	Promotional Contest
November 16–19, 2020	Variable	Unknown
December 2–3, 2020	Variable	Unknown
December 14, 2020	Variable	Unknown

Launch Phase Bonuses and Penalties

29. RH directed that a number of bonuses and penalties be programmed into the Hex code during the launch phase. Generally, for bonuses, individuals purchasing Hex tokens would receive a multiplier of their Hex distribution based on certain criteria determined by RH. A copy of all bonuses paid were also deposited to the origin address per RH's directive.

30. RH directed that a penalty called the "Silly Whale Penalty" be included in the Hex code. A "whale" is a common term in crypto that refers to a really large holder of crypto assets. The "Silly Whale Penalty" functioned inapposite of a bonus multiplier. This penalty decreased the number of Hex tokens that a large Bitcoin holder would receive through the Bitcoin Claim Function. This feature would reduce the claiming user's received HEX tokens by 50-75%, scaling linearly for BTC balances from 1,000 BTC to 10,000 BTC, plateauing at a 75% penalty for balances above 10,000 BTC. This penalty was meant to be an equalizer so that very large Bitcoin holders would have a less favorable claim number for Hex tokens, attempting to prevent large holders of Bitcoin from being large holders of Hex.

31. RH directed that the "WAAS Bonus" or "We Are All Satoshi Bonus" be included in the Hex code. It functioned so that at the end of the Hex launch phase, the Hex contract calculated the unclaimed Hex tokens distributed through the Bitcoin Claim Function. The origin address received a copy of a percentage of those unclaimed Hex tokens on a daily basis. The unclaimed tokens at the end of the launch phase were paid out as a staking payout on that day,

referred to as "Big Pay Day." This is in the Hex contract code and not minted automatically, but rather the credit for that day to be minted when a stake is ended.

32. RH directed that a "Speed Bonus" be included in the Hex code. RH described it as a reward whereby a person receives more Hex tokens for making a claim earlier during the claim phase through the Bitcoin Claim Function.

33. During the launch phase, the Hex crowdsale function and Bitcoin Claim Function accepted an additional referral address parameter. The Hex contract would mint an additional 10 percent of the claimant's or crowdsale participants' Hex otherwise due if the referral address parameter was present. The code also minted 20 percent of the new total to the address provided as the referrer. If a purchaser self-referred, the Hex code minted that purchaser the full 32 percent bonus of Hex tokens.

34. The origin address received a copy of all of the bonuses discussed above, meaning that all of the bonuses that were minted to individual Hex token holders were duplicated through additional Hex tokens being minted and distributed to the origin address. This was RH's intent as I understood it based on my conversations with him.

Staking, T-Shares, and Staking Penalties

35. Staking of Hex tokens is a process whereby Hex token holders can lock up their Hex tokens for a designated amount of time in exchange for additional Hex tokens in the amount of a portion of the target Hex inflation over the lock period, colloquially referred to as interest. The amount of interest paid is based on a number of factors, including, the length of time a Hex token holder decides to stake their Hex. Based on my understanding of a copy of the Hex.com website shown to me by the SEC on January 19, 2023, the Hex.com website describes the Hex staking process as the "first Blockchain Certificate of Deposit" and states that "Hex Stakes average 38% returns a year." I did not author any of the content on the Hex.com website. As explained to me by RH, staking Hex tokens is tantamount to a holder's commitment not to sell it for a pre-determined period of time. I understood through conversations with RH that his goal in designing the staking process was to incentivize Hex token holders to hold their Hex. Holding Hex tokens does not actually operate as a certificate of deposit.

36. RH discussed with me his motivation for the time locks on staking Hex tokens. He wanted to take the Hex tokens out of circulation because he believed that if the supply of Hex

tokens was lower, the price of the Hex tokens would increase based on supply-and-demand principles.

37. When an individual stakes their Hex tokens, that Hex is "burned." Burning the Hex tokens operates as the inverse of minting. Burning means the Hex tokens are sent to an address with no owner; a wallet address with all zeroes. This is a typical implementation of burning for ERC-20 tokens. The process of burning Hex tokens is reflected by a reduction to the token holder's ownership balance and an addition to the balance of the all zero unowned address.

38. The Hex code reflects an accounting of the total supply of Hex tokens, and tracks the Hex that has been burned, i.e., what is in the all zero unowned address. The "total supply" of Hex refers to the total amount of Hex tokens that has been minted to date. The "circulating supply" of Hex tokens does not include any of the staked Hex or Hearts, which have been burned.

39. In the Hex community, a T-share commonly stands for "trillions of shares." Specific to Hex, shares and T-share refer to the inflation interest calculation for the Hex staking process. The amount of inflation interest paid out pursuant to staking activity is based on a ratio of the total supply of Hex and the total number of shares. Inflation interest owed to stakers is calculated on a daily basis and paid out to the staker at the end of their staking period based on the stake's shares. On day 1 of staking, each Heart (meaning $1/100^{th}$ million of a Hex) equaled one share. For example, if a user started a stake of 10,000 Hex tokens for one day on the second day of the launch phase, the Hex contract was programmed to take into account the amount of Hex and time commitment of the stake. The contract recorded the day, the amount of principal, the duration, and calculated a "shares" value. Assuming Hex converted 100,000,000:1 to shares, the 10,000 Hex staked would convert to 1,000,000,000,000 shares, or 1 trillion shares. The stake would display on the web application as 1.0 T-shares for readability purposes. The use of T-shares was for display purposes only, as the Hex contract computation would reflect the number in full fidelity. This means, the calculation would use the full number of shares, in this example, 966,235,420,000, but the website would only display 0.9662 T-shares and not the 35,420,000 additional shares.

40. RH directed that the "Longer Pays Better Bonus" and the "Bigger Pays Better Bonus" be included in the Hex code. They are features of the Hex staking function that increase a user's effective share of inflation based on the length and size of their stake. Both of these types of bonuses have been available to Hex stakers since Hex was launched in December 2019.

41. The Hex code applies penalties to token holders who end their stake early, or who do not end it within two weeks of their stake period ending. When a stake ends, the code confirms the staking period and determines how much time there is between the end date and the commitment date to determine any "penalty days." The code calculates any penalty based on the number of penalty days. For stakes terminated too early, the code applies a minimum number of penalty days, even if the number of actual penalty days is less. The minimum number of penalty days applied is 90 days. If a staker ends their stake less than halfway through their total stake commitment, their penalty can reduce the original amount of principal (the original amount of the Hex staked). RH communicated to me that his motivation for this approach was to discourage stakers from ending their stake early.

42. The code also applies a penalty when a staker does not end their stake within two weeks after their stake end date. The code penalizes the staker by a reducing their total stake value (principal plus interest) for each day that they continue to stake after the 2 week grace period of the original stake end date. The late penalty scales 0.1429 percent per day after the 2 week grace period and, if left unresolved, reaches 100 percent 700 days after the grace period.

43. The code distributes half of all staking penalties to the origin address and the other half to the staking payout for the day.

PulseX and PulseChain Sacrifices

44. RH directed me to hire developers to assist with developing additional RH projects, including PulseChain and PulseX. I communicated with potential developers for these projects via email at RH's direction. RH ultimately determined which developers he hired to work on PulseX and PulseChain. I sometimes communicated questions and answers back and forth between the developer candidate and RH until RH approved a developer. At that point, RH provided me with a contract to send to the developer candidate for signature. As part of the process for onboarding these developers, RH required all PulseX and PulseChain developers to provide him with a photo ID and a utility bill, or some other piece of mail that confirmed the developer's address and real identity.

45. I have been involved in conversations with RH concerning the development of both PulseChain and PulseX, two of RH's projects. RH set the parameters and priorities for both projects and directed the efforts of the developers.

46. RH has stated that he intends for PulseChain to be a new blockchain that is a hard fork of the Ethereum blockchain. This means that at a certain point a different set of rules applies to PulseChain independent of the rest of the Ethereum blockchain.

47. RH's idea for PulseChain is that whatever assets a wallet holder owns on the Ethereum blockchain (ERC-20 & NFTs) will be copied over to the PulseChain network. All tokens copied over to the PulseChain network will retain their same name, except ETH. RH directed that all ETH tokens be renamed Pulse (PLS) on PulseChain, once PulseChain launched. RH designed PulseChain so that all ERC-20 tokens, including all Hex tokens and staked Hex, would also copy over to the PulseChain network and those Hex tokens, by virtue of them being copied, would also be doubled. All tokens copied over to PulseChain will not necessarily retain their same value, but may have their own price. PulseChain launched on May 12, 2023.

48. RH has stated that he intends PulseChain to have cheaper transaction fees than the Ethereum blockchain and to replace proof-of-work miners with proof of stake validators.

49. Another way that a person may obtain PLS tokens apart from their conversion of ETH to PLS is to have participated in what RH called the PulseChain "sacrifice" or the PulseChain "Sacrifice Phase." For all crypto assets "sacrificed" to a prescribed wallet address or coordinated as a donation to the SENS Research Foundation, the PulseChain sacrifice point system calculated a certain amount of "sacrifice points" in return. It was RH's idea to allow individuals who wanted to participate in the sacrifice to donate money to the SENS Research Foundation and for those individuals to receive sacrifice points in exchange, just as if they had sacrificed directly to the PulseChain sacrifice address. The ratio between the crypto assets sacrificed versus the sacrifice points decreased every subsequent day in the Sacrifice Phase. Each sacrifice point was targeting a worth of 1 PLS token. The PLS tokens were minted and airdropped into the sacrificer's wallet when PulseChain blockchain was released. The PulseChain sacrifice point system included an incentive for large value sacrifices. The system provides a higher conversion rate per dollar of value, scaling linearly up to 2.5x. Once the incentive period of the sacrifice phase ended, the total sacrifices that occurred during the incentive period were tallied to give a point total. For the sake of explanation, assume that $100 worth of ETH was sacrificed during the incentive period by only four purchasers who sacrificed $10, $15, $25, and $50 of ETH respectively. A total of 100 points – 1 point per dollar of ETH –would be represented in the incentive period. Each sacrifice attributed to that 100 points would be sorted, smallest to largest, by sacrificed size ($10, $15, $25, $50 worth

of ETH). The calculation essentially involves lining the points up next to each other and creating a step up between them such that they form a staircase. The last stair is always at a height of 1.5 – this is where the 2.5x comes from – and the combined heights of all the stairs that cover a sacrificer's points are the sacrificer's total bonus. In this example, the combined height of steps over the first sacrificer's 10 steps is 0.68 points, the next sacrificer's 15 points is 3.86, the third sacrificer's 25 points is 14.015, and the fourth sacrificer, the highest volume contributor, get the combined height of the last 50 steps, or 56.44 bonus points. The highest sacrifice gets the lone stair representing 2.5x, but only on their last step. That sacrificer's total bonus is equivalent to an average of 2.13x across their points.

50. The PulseChain Sacrifice Phase began at 04:50:00 UTC on July 15, 2021 and officially ended on August 3, 2021. The PulseChain sacrifice address is: 0x9Cd83BE15a79646A3D22B81fc8dDf7B7240a62cB.

51. RH designed PulseX to be an automated market maker that RH launched concurrently with PulseChain. RH designed PulseX to operate similarly to Uniswap on Ethereum. PulseX was designed and developed to operate as a standalone set of contracts and products on the PulseChain network. The PulseX token is PLSX. The supply of PLSX is determined by the total USD value of crypto assets sacrificed during the PulseX Sacrifice Phase. For all crypto assets sacrificed during the PulseX Sacrifice Phase, PulseX calculated a certain amount of "sacrifice points" in return. The sacrifice points were determined in the same way as for PulseChain. Like the PulseChain Sacrifice phase, RH directed that the PulseX Sacrifice Phase include an incentive for large value sacrifices by providing a better conversion rate per dollar of value. PulseX launched on May 12, 2023.

52. The PulseX Sacrifice Phase began at 00:00:00 UTC on December 29, 2021 and officially ended on February 26, 2022. The PulseX sacrifice address is: 0x075e72a5edf65f0a5f44699c7654c1a76941ddc8.

53. As I understand it, the sacrifice phase for both PulseChain and PulseX was unofficially extended until approximately April 6, 2022.

Other Related Topics

54. To the best of my knowledge, no part of the design, development, or implementation of Hex, PulseChain, or PulseX or the contents of their respective websites or official pronouncements occurred without RH's direction or approval.

55. RH and I spoke about Tornado Cash, and RH expressed a desire for a similar tool to Tornado Cash to operate as part of the Hex contract. Tornado Cash operates as a mixer, where crypto assets are put into a central holding address, mixed, and then, withdrawn to a different address. I developed this functionality for Hex, at the direction of RH, and it was called Hexnado.

56. RH has not paid me for any of my work with Hex, PulseX, or PulseChain. I volunteered my time because I was interested learning more about coding on the blockchain and took it up as a hobby. However, RH did send me a gift in the form of USDC in July 2021 for the purchase of a Rolex watch. I decided I did not want to keep the watch and informed RH that I intended to sell the watch and return the money, however, I was robbed of the watch while attempting to sell it on October 4, 2021.

57. I purchased approximately 40-50 million Hex token during the launch period and purchased additional Hex tokens in 2021. During the launch period, I wrote a separate, public smart contract that acted as an automated buyer on my behalf. I deposited ETH in that smart contract and used it to buy Hex token almost every day during the launch period. When I purchased Hex, I believed that the ETH I used to purchase the Hex tokens would ultimately benefit RH. I had no reason to believe that any other individual would benefit from deposit of ETH used to purchase the Hex tokens.

58. Nearly all of my communications with RH have been via Telegram. At the end of October 2022, or in beginning of November 2022, RH deleted our Telegram direct message history. While I do not remember the exact date of his deletion, it was around the time when there were rumors circulating regarding recipients of government subpoenas related to Hex.

I hereby declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated: May 19, 2023.

Kyle Bahr